W 2163

Application No.: 09/888,336 Attorney Docket: BLFR 1004-1

I hereby time the correspondence is being deposited with the United States Postal Service as First Class Mail to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,

On 15 March 2005.

MAR 1 7 2005

Signed:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert E. DVORAK

Application No. 09/888,336

Confirmation No. 7227

Filed: 22 June 2001

Title: A Method and Apparatus for OTB

**Analysis** 

Group Art Unit: 2163

Examiner: Unassigned

CUSTOMER NO.: 22470

### **INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56.

Enclosed with this statement is a Form PTO/SB/O8A. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. 609.

Also enclosed with this statement is a copy of each cited document as required by 37 C.F.R. 1.98.

This statement should be considered under 37 C.F.R. 1.97(b) because it is being filed before the mailing date of the first Office Action on the merits.

Application No.: 09/888,336 Attorney Docket: BLFR 1004-1

**Fee Authorization.** The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-0869 (BLFR 1004-1). A duplicate copy of this authorization is enclosed.

Respectfully submitted, Haynes Beffel & Wolfeld LLP

Date: 15 March 2005

Ernest J. Beffel, Jr., Reg. No. 43,489

Haynes Beffel & Wolfeld LLP P.O. Box 366 Half Moon Bay, CA 94019 Ph. (650) 712-0340 Fax (650) 712-0263 INFORMATION DISCLOSURE STATEMENT BY APPLICANT P F

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Substitute for form PTO-1449

Sheet 1 of 2

Application Number	09/888,336
Filing Date	22 June 2001
First Named Inventor	Robert E. Dvorak
Art Unit	2163
Examiner Name	Unassigned
Attorney Docket Number	BLFR 1004-1

# U.S. PATENT DOCUMENTS & TRAI

Examiner's Initials			Patent No. Number-Kind Code	Pub. Date MM-DD- YYYY	Name	Pages, Cols, Lines of Relevant Passages or Figures
	A1	US	5,168,445	12-01-1992	Kawashima et al.	
•	A2	US	5,596,493	01-21-1997	Tone et al.	
	A3	US	5,712,985	01-27-1998	Lee et al.	
_	A4	us	5,953,707	09-14-1999	Huang et al.	
	A5	US	5,966,695	10-12-1999	Melchione et al.	
	A6	US	6,151,582	11-21-2000	Huang et al.	
	A7	US	6,341,269	01-22-2002	Dulaney et al.	
	A8	US	6,370,509	04-09-2002	Ross et al.	
	A9	US	6,434,544	08-13-2002	Bakalash et al.	
	A10	US	6,493,678	12-10-2002	Foster et al.	
	A11	US	6,510,420	01-21-2003	Cessna et al.	
	A12	US	6,609,101	08-19-2003	Landvater	
	A13	US	6,834,266	12-21-2004	Kumar et al.	
	A14	US	2002/0147630	10-10-2002	Rose et al.	
	A15	US	2003/0074251	04-17-2003	Kumar et al.	
	A16	us	2003/0229502	12-11-2003	Woo	· · · · · · · · · · · · · · · · · · ·

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner's Initials		Include name of the author (in CAPITAL LETTERS), title of article, title of item (book, magazine, journal, serial, symposium, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	C1	Ackerman, Jerry, "Looking Back to Fashion's Future", The Boston Globe, 10/07/1998 [retrieved 09/09/04], pages 1-3, retrieved from Google.com and archive.org.	
	C2	Hauge et al., "How Low Can You Go? Using Simulation to Determine Appropriate Inventory Levels", attributed to IIE Lean Management Solutions, September 23-24, 2002, Seattle, WA, (publication data unverified) <a href="http://www.novasim.com/downloads/How%20Low%20Can%20You%20Go.pdf">http://www.novasim.com/downloads/How%20Low%20Can%20You%20Go.pdf</a> , accessed 10 January 2005;	
	СЗ	KUMAR, MAHESH et al., Clustering Seasonality Patterns in the Presence of Errors, Paper 155, May 2002, <a href="http://ebusiness.mit.edu">http://ebusiness.mit.edu</a> .	
	C4	KUMAR, MAHESH, Error-based Clustering and Its Application to Sales Forecasting in Retail Merchandising, September 2003, Massachusetts Institute of Technology.	

Examiner Signature	Date	
Signature	Considered	

# Sheet 2 of 2

Application Number	09/888,336	
Filing Date	22 June 2001	
First Named Inventor	Robert E. Dvorak	
Art Unit	2163	
Examiner Name	Unassigned	
Attorney Docket Number	BLFR 1004-1	

# U.S. PATENT DOCUMENTS

Examiner's Initials	Patent No. Number-Kind Code	Pub. Date MM-DD- YYYY	Name	Pages, Cols, Lines of Relevant Passages or Figures
	US			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner's Initials		Include name of the author (in CAPITAL LETTERS), title of article, title of item (book, magazine, journal, serial, symposium, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	C5	Lin et al., "Extended-Enterprise Supply-Chain Management at IBM Personal Systems Group and Other Divisions", Interfaces 30:1, pp. 7-25, at pp. 12-13 (JanFeb. 2000) available at <a href="http://www.interfaces.smeal.psu.edu/pdf/v30n1a2.pdf">http://www.interfaces.smeal.psu.edu/pdf/v30n1a2.pdf</a> ;	
	C6	MONTGOMERY, ALAN, The Implementation Challenge of Pricing Decision Support Systems for Retail Managers, October 2003, Pittsburgh, PA.	
	C7	SEN, ALPER, The U.S. Apparel Industry, Apparel Review, October 2004, Dept. of Industrial Engineering, Bilkent Univ., Bilkent, Ankara, Turkey.	
	C8	Screenshots, <u>www.grossprofit.com</u> , 10/18/20000 [retrieved 09/09/04], pages 1-9. retrieved from: archive.org and google.com.	
	C9	Koloszyc, Ginger, "Merchants Try Complex Math Tools to Improve Inventory Decisions", Stores Magazine, 11/1998 [retrieved 09/09/04], pages 1-3, retrieved from Archive.org and Google.com.	,
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Examiner Signature	Date Considered